## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

HSBC BANK USA, N.A., AS TRUSTEE	§	
FOR MERRILL LYNCH MORTGAGE	§	
INVESTORS TRUST, MORTGAGE	§	
LOAN ASSET-BACKED	§	
<b>CERTIFICATES, SERIES 2005-WMCI,</b>	§	
	§	
Plaintiff/Counter-Defendant,	§	
	§	Civil Action No. 3:14-cv-3522-B
v.	§	
	§	
KENNETH E. CRUM	§	
	§	
Defendant/Counter-Plaintiff.	§	

## MOTION FOR AWARD OF ATTORNEY'S FEES BY PLAINTIFF HSBC BANK USA, N.A., AS TRUSTEE FOR MERRILL LYNCH MORTGAGE INVESTORS TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2005-WMCI

Plaintiff/Counter-Defendant HSBC Bank USA, N.A., as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2005-WMCI ("HSBC") and files this its Motion for Award of Attorney's Fees, and respectfully show the Court as follows:

I.

On December 2, 2016, this Court entered a Memorandum and Opinion Order granting Plaintiff/Counter-Defendant's Motion for Summary Judgment. Plaintiff requests that the Court award its reasonable and necessary attorney's fees incurred in this matter as provided in the Declaration of the undersigned attached hereto. Plaintiff/Counter-Defendant seeks this award not as a money judgment but as an additional amount owed on the subject home equity note and secured by the subject security instrument.

WHEREFORE, PREMISES CONSIDERED, Plaintiff/Counter-Defendant requests that the Court enter an award of its reasonable and necessary attorneys' fees incurred in this cause, and for all other relief to which it may be entitled.

Respectfully submitted,

By: /s/ Mark D. Cronenwett

MARK D. CRONENWETT

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ATTORNEY FOR PLAINTIFF/COUNTER-DEFENDANT

## **CERTIFICATE OF CONFERENCE**

This is to certify that counsel for Plaintiff/Counter-Defendant conferred with counsel for Defendant/Counter-Plaintiff on December 14<sup>th</sup>, and who stated that Defendant/Counter-Plaintiff is opposed to the relief requested in this Motion.

/s/ Mark D. Cronenwett\_ MARK D. CRONENWETT

## **CERTIFICATE OF SERVICE**

The undersigned certifies that on the 14<sup>th</sup> day of December, 2016, a true and correct copy of the foregoing was delivered via ECF notification to the following counsel of record:

Wade Kricken 2711 North Haskell Ave., Suite 550 Dallas, Texas 75204 Attorney for Defendant